

DIANA G. VIGIL, L.P.C., R.P.T.
JULIE A. SKAKOON, M.C., L.P.C.
COUNSELING AND FORENSIC EVALUATIONS
7500 E. McDonald Drive, Suite 400A
Scottsdale, Arizona 85250
Telephone: (480)946-0801
Facsimile: (480)946-0814

IN THE SUPREME COURT
STATE OF ARIZONA

In re the Matter of:)	Supreme Court No. R-15-0006
)	
PETITION TO AMEND RULE 74 OF)	COMMENT TO PROPOSED
THE ARIZONA RULES OF FAMILY)	AMENDMENTS TO RULE 74, ARFLP,
LAW PROCEDURE)	CONCERNING PARENTING
_____)	COORDINATION

BACKGROUND

Diana G. Vigil, L.P.C., R.P.T., is a Licensed Professional Counselor and Registered Play Therapist in private practice for 27 years. Ms. Vigil's specializes in the assessment, evaluation and forensically informed treatment of childhood trauma and maltreatment. She provides psychotherapy for children with a variety of adjustment, developmental and psychiatric disorders. Ms. Vigil's forensic work includes court ordered custody studies, designing parenting plans for families with special needs children, child maltreatment evaluations, forensic interviews, parenting coordination for high conflict families, divorce counseling, and a variety of court ordered therapeutic interventions. She has extensive training and experience in the Extended Forensic Child Maltreatment Evaluation model developed by the National Child Advocacy Center. Using this model, she has evaluated hundreds of children who allege sexual abuse. She provides expert opinions to Superior Court Family Division and Criminal Division regarding the reliability of children's memory and testimony. She is frequently invited to present

1 at the Association of Family and Conciliation Courts, Arizona Bar Association, American
2 Professional Society on the Abuse of Children and Arizona Superior Court Judicial College.

3
4 Julie A. Skakoon, L.P.C., is a Licensed Professional Counselor and has been in private practice.
5 Ms. Skakoon provides assessment, evaluation and treatment for children with a variety of
6 psychiatric, developmental and adjustment disorders. She provides forensically informed
7 treatment of childhood trauma and child maltreatment. Additionally, she provides therapy to
8 children placed with Child Protective Services who are terminally ill. Her forensic work
9 includes; therapeutic interventions, comprehensive custody evaluations, brief focused
10 assessments, court ordered therapy, and parenting coordinator services. Ms. Skakoon's
11 professional affiliations include American Professional Society on the Abuse of Children,
12 American Association for Play Therapy Association, the Association of Family and Conciliation
13 Courts (AFCC), she services on the board of directors for AFCC and is the chapter liaison for
14 AFCC. Ms. Skakoon routinely provides training to other professionals on Forensically Informed
15 Therapy.

16 17 **COMMENTS**

18
19 The proposed changes to Rule 74 will have adverse consequences and make it more difficult and
20 more expensive for families, Parenting Coordinators (PC) and the Courts. Further it will drive
21 the cost up on other Court ordered interventions like Comprehensive Family Assessments
22 (CFAs) and Limited Family Assessments (LFAs). It will drastically slow the judicial process
23 down so families with bigger and or more dangerous problems don't get served expediently.
24 The proposed changes to Rule 72 include PC fees, lack of recourse/appeal process, qualifications
25 of PC's and the scope and authority of PC's. It appears that many of the proposed changes to the
26 Rule do not relate to any of the PC's goals, for example:

- 27
28 1. A family or friend providing PC services in lieu of a licensed professional. Friends or
29 family members are typically not neutral toward the litigant's issues and they are not
30 trained and licensed professionals;

- 1 2. Upon stipulation of the parties, a PC can request re-appointment. Should either party
2 have an objection to a PC's re-appointment the PC will direct the parties to the Court
3 for clarification;
- 4 3. PC's need advance fee deposits for report writing, telephone calls, email review and
5 appearances in Court. If the PC was required to request at a maximum of only two
6 hours advance fee deposit, administrative issues will mire a parenting coordinator in
7 administrative work such as constantly requesting a replenishment of the fee deposit
8 after every two hours of work;
- 9 4. The PC language needs to be explicitly clear to the litigants. The process needs to
10 remain streamlined and affordable for the litigants, not mired in additional costs and
11 confusing language;
- 12 5. The language which is to be removed states, "The judicial officer shall set a hearing if
13 requested." That sentence preserves due process for the parties by establishing
14 judicial review of a recommendation done by a quasi-judicial officer, the parenting
15 coordinator. Removal of this hearing requirement is directly contrary to the stated
16 litigant complaints regarding "lack of recourse/ appeals process for litigants".

17
18 The changes proposed to R. 74, ARFLP will significantly alter the role of the PC, raise costs
19 while making it more difficult for the PC to investigate all avenues of information and data
20 necessary to do their job (due to limitations on prepayment amounts). We are in agreement with
21 the comments of others (Annette Burns, Esq., the Arizona Mediation Institute and Barry Brody,
22 Esq.) regarding the detail of the problems with the proposed changes.

23
24 **RESPECTFULLY SUBMITTED** this 27th day of April, 2015.

25
26
27 *Diana Vigil, LPC RPT*

28 **DIANA G. VIGIL, L.P.C., R.P.T.**

27 *Julie A. Skakoon, M.C., L.P.C.*

28 **JULIE A. SKAKOON, M.C., L.P.C.**